

<b>Name:</b>	<i>Legal Aspects of the Fire Service</i>
<b>Course Description:</b>	This course introduces the Federal, State, and local laws that regulate emergency services, national standards influencing emergency services, standard of care, tort, liability, and a review of relevant court cases.
<b>Prerequisite:</b>	None.
<b>Outcomes:</b>	<ol style="list-style-type: none"> <li>1. Define the different types of laws, explain their basic differences, and how the law functions in society.</li> <li>2. Become familiar with federal, state, and local laws, which regulate or influence emergency services.</li> <li>3. Explain the role and purpose of national codes and standards concerning their legal influence.</li> <li>4. Become familiar with legal decisions that has or will affect the fire service.</li> <li>5. Discuss the organization and legal structure of the fire department.</li> <li>6. Define the liabilities of firefighters.</li> <li>7. Recognize legal duties of emergency service members.</li> <li>8. Discuss negligence in an emergency setting.</li> <li>9. Define discrimination and identify areas of potential discrimination in the emergency service.</li> <li>10. Identify, explain and discuss the legalities of entrance requirements, residency, grooming, and drug testing.</li> <li>11. Discuss the scope of the civil rights act.</li> <li>12. Discuss the parameters and explain the basic intent of the American Disabilities Act, Fair Labor Standards Act, and Family Medical Leave Act.</li> <li>13. Explain the at-will doctrine.</li> <li>14. Explain the purpose of labor and employment laws.</li> <li>15. Identify and analyze the major causes involved in the line of duty firefighter deaths related to health, wellness, fitness and vehicle operations.</li> </ol>
<b>Suggested Student Texts:</b>	<i>Fire and Emergency Law Casebook</i> ; Thomas D. Schneid, Thomson, 1996 <i>Fire Law</i> ; Thomas D. Schneid, Thomson, 1995 <i>Legal Aspects of the Fire Service</i> ; Lawrence Hogan, Amlex, 2000 <i>Fire Service Instructor</i> ; Jeffrey Lindsey, Brady, 2006

	<i>Intro to Fire Prevention</i> ; James C. Robertson, Brady, 6 <sup>th</sup> Ed., 2005
<b>Supporting References/Research for Faculty and Students:</b>	<p><b>U.S. Fire Administration</b></p> <p><u>Publications:</u>  <a href="http://www.usfa.fema.gov/applications/publications">http://www.usfa.fema.gov/applications/publications</a>  See Arson, EMS, Fire Data, Fire Administration, Fire Service Operations, Health and Safety</p> <p><u>Applied Research:</u>  <a href="http://www.usfa.fema.gov">http://www.usfa.fema.gov</a></p> <p><u>Research Reports:</u>  <a href="http://www.usfa.fema.gov/research">http://www.usfa.fema.gov/research</a></p> <p><u>Technical Reports:</u>  <a href="http://www.usfa.fema.gov/applications/publications/browse.cfm?mc=29">http://www.usfa.fema.gov/applications/publications/browse.cfm?mc=29</a></p> <p><u>Topical Fire Research Series:</u>  <a href="http://www.usfa.fema.gov">http://www.usfa.fema.gov</a></p> <p><u>Learning Resource Center:</u>  <a href="http://www.lrc.fema.gov">http://www.lrc.fema.gov</a></p> <p><b>National Institute for Standards and Technology</b>  <a href="http://www.fire.nsti.gov">http://www.fire.nsti.gov</a>; Fire Test/Data, Software/Models, Publications, FIREDOC (under Publications)</p> <p><b>References</b></p> <p><u>Lessons Learned Information Sharing:</u>  <a href="http://www.llis.dhs.gov/member/secure/index.cfm">http://www.llis.dhs.gov/member/secure/index.cfm</a>  <i>Blacks Law Dictionary</i>; Bryan Garner, West Group  <i>Legal Briefings for Fire Chiefs</i>, Quinlan Publishing  <i>American Bar Association-Guide to Workplace Laws, Rights of Employees</i></p> <p><b>Current Events/News</b>  <a href="http://www.firechiefs.com">http://www.firechiefs.com</a>  <a href="http://www.firehouse.com">http://www.firehouse.com</a>  <a href="http://www.fireengineering.com">http://www.fireengineering.com</a>  <a href="http://www.withthecommand.com">http://www.withthecommand.com</a></p>
<b>Assessment:</b>	Students will be evaluated for mastery of learning objectives by methods of evaluation to be determined by the instructor.
<b>Points of Contact:</b>	<p>Gail Ownby-Hughes, University of Alaska at Anchorage, (907) 786-6476, <a href="mailto:aftgo@uaa.alaska.edu">aftgo@uaa.alaska.edu</a></p> <p>Travis Ford, Volunteer State Community College, C/O Nashville Fire Dept. (615) 862-5422, <a href="mailto:travis.ford@nashville.gov">travis.ford@nashville.gov</a></p> <p><b>Revision 11/05</b></p>

## **Course Outline**

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### ***Legal Aspects of the Emergency Services***

- I. The Legal System of the United States
  - A. Foundations
  - B. U.S. Constitution
- II. Civil vs. Criminal
  - A. Differences
  - B. Lawsuits
  - C. Punishments
  - D. Burden of Proof
- III. Tort Liability
- IV. Negligence
- V. Judicial System
  - A. The Court System
  - B. U.S. Supreme Court
  - C. Special Courts
  - D. Local Courts
  - E. Penalties
- VI. Federal Laws and the Fire Service
  - A. Fair Labor Standards Act
  - B. Americans with Disabilities Act
  - C. Age Discrimination
  - D. Civil Rights
  - E. Sexual Harassment
- VII. Employee Relations
  - A. Physical Testing - Entrance Requirements
  - B. Residency Requirements
  - C. Grooming Standards
  - D. Promotional Testing
  - E. Psychological Examinations
  - F. Polygraphs
- VIII. Fire Prevention and Fire Codes
  - A. Fourth Amendment
  - B. Certifications
  - C. Building Code vs. Fire Code
  - D. Civil vs. Criminal
- IX. Mutual Aid
- X. Hazardous Materials
- XI. Volunteers/Contracts
- XII. Arson